MR. NADIG BHASKAR RAO (Sorab Taluk), MR. B. GOPALACHAR (Thirthahalli Taluk), MR. B. VENKATAGIRIAPPA (Sagar Taluk) and MR. A. N. VENKOBA RAO (Kumsi Sub-Taluk).—

Q.—27. Will the Government be pleased to state:—

(1) When did the rules under the Weights and Measures Regulation come into effect?

(2) What are the measures taken on hand by Government to give due effect to the Regulation in all parts of the State?

(3) How many weights and measures were distributed last year by Government and for what localities?

SECRETARY TO GOVERNMENT, DEVELOPMENT DEPARTMENTS.—

A.—27. (1) The rules under the Weights and Measures Regulation, III of 1902, came into effect on 1st July 1912. Draft rules under the Regulation as amended by Regulation IX of 1927 are being framed.

(2) The measures necessary to enforce the law as recently amended are under the consideration of Government.

(3) Number of sets of measures distributed for sale in Bangalore, Kolar and Mysore was 900.

Supplementary Questions and Answers.

Mr. Nadig Bhaskar Rao.—

With reference to Answer (2) is it not a fact that Government have all along been saying that the matter is under consideration?

Second Member of Council.—

The new law was only recently passed.

Mr. Nadig Bhaskar Rao.—

When will the new rules come into force?

Second Member of Council.—

As early as possible.

Mr. Nadig Bhaskar Rao.—

What is the difficulty in introducing them soon?

Second Member of Council.—

The need for arranging for the large number of weights and measures the use of which is authorised under the new law.

Mr. Nadig Bhaskar Rao.—

Will both the buyers and sellers of goods be required to make use of a unit measure of capacity under the new rules?

Second Member of Council.—

Yes.

Mr. B. Venkatagiriappa.—

Cannot Government undertake to get the weights and measures manufactured in their workshops? If not, will they call for tenders?

Second Member of Council.—

The question is under consideration.

Mr. B. Venkatagiriappa.—

With reference to Answer (3), may I know why only 3 districts got the supply of the new measures? Will 900 suffice?

Second Member of Council.—

These measures are costlier than those sold in the bazaar and so even the number supplied has not been sold.

Third Member of Council.—

The object of the new rule is to enforce the use of only weights and measures which are stamped and certified by Government and to prohibit the use of all other measures. Under the new order, the merchants are bound to purchase them. When the demand increases they will be manufactured on a larger scale and the prices are likely to be reduced also.

Mr. Veeraraj Urs.—

In view of the fact that the villagers are being duped by the merchants in certain places with smaller measures, will the public be allowed to manufacture their own seers and get the same stamped by the authorities concerned?

Third Member of Council.—

Even under the old rule, the public had the option of getting them stamped. But no one availed himself of it.

Mr. Veeraraja Urs.—

Is it not better for Government to arrange with the Police to inspect the weights and measures used in the shandies, etc. ?

Third Member of Council —

It will not be easy for the Police to inquire, nor is it desirable.

Mr. G. B. Raghavendrachar.—

Is this Regulation in force in the Bangalore City?

Second Member of Council.—

Not the new Regulation.

Mr. Venkatagiriappa —

Do the same rules apply to weights also?

Second Member of Council.—

Yes.

Another Member.—

Cannot zinc sheets be used so that the cost of manufacture may be kept down?

Third Member of Council.—

No; but any stronger metal can be used, but they are bound to get them stamped and certified. The whole idea is that there should be protection against abuse.

Another Member.—

Is the number of seers making up a maund fixed in the Regulation?

Third Member of Council.—

It is stated that 40 seers make one maund.

Mr. Gurumurtiacharya.—

With reference to Answer (2), what are the measures proposed?

Second Member of Council.—

Publication of rules, arrangements for the supply of measures, etc.

Mr. Gurumurtiacharya—

What is the action taken to give effect to the new Regulation?

Second Member of Council.—

Rules are now under consideration.

Mr. Gurumurtiacharya.—

Why are weights not yet prepared?

Second Member of Council.—

They need not be supplied by Government.

Mr. B. Keshavaiya.—

Where will they be stamped and certified?

Second Member of Council.—

At places convenient to the public.

Mr. N. G. Sanjeeviah.—

When will the Regulation be actually put into force? Will it be introduced first in Bangalore?

Second Member of Council.—

It is proposed to introduce it there first.

Mr. S. C. Malliah.—

Will the sample seers and weights be supplied to the Police Stations and Patels for verification?

Second Member of Council.—

No; they will be kept in certain offices.

Mr. M. Ramaswami.—

Is it not the intention of Government to have a uniform standard of weights throughout the State?

Second Member of Council.—

Yes.

Mr. Ramaswami.—

Will 900 measures be sufficient for the whole State?

Second Member of Council.—

No; the supply need not be made by Government.

Resolutions.—Discussion on Resolution No. 10—contd.

MR. SOMASEKHARA RAO, referring to the remarks of one of the speakers on the previous day to the effect that complete control was not possible in any sphere, pointed out that what was wanted was independence within the limits of the law and that such independence should not be interfered with. He was of opinion that there should be a limit even to such control. He also said that the mere fact that the Press Law was not set in motion in recent years was itself an argument in favour of its repeal. All the same, he said that there were cases now and then coming under the Newspaper Regulation. He referred to the refusal of Government to permit Mr. Tagadur Ramachandra Rao to publish his "Kaniyar Patrike" and observed that the Act was now hanging like a Democles' sword on the newspaper enterprise. He added that even granting that the Act was not set in force, the very fear of its existence on the Statute Book was enough to dissuade people from starting newspapers.

The object of newspapers was not merely to disseminate news but also to serve as a corrective agency by voicing the public feeling on the burning questions of the day. He

admitted that the papers generally criticised Government; but he thought that Government were not infallible, and should there be mistakes, it was the clear duty of the Press to expose such mistakes with a view to rectify them.

In regard to the contention that the Act aimed at preventing the publication of seditious matters and the like, he pointed out that there need be no Regulation of the kind to bring offenders to justice, since there was the Indian Penal Code to take cognisance of such offences. It was an elementary principle of jurisprudence to let the accused have the privillege of a trial under a properly constituted judiciary. The transfer of the judicial authority to the executive was wrong in principle. Freedom of the Press, he emphasised, was in the best interests of not only the public but also of the Government themselves. Further, he was of opinion that the present Regulation only gave a handle to Government to hide their faults and show their revenge on those who attempted to expose their mistakes.

In conclusion, he pointed out that the Press Regulation had been abolished in all progressive countries of the West and even in British India ; and such being the case, he thought there was absolutely no need to keep it on the Statute Book of Mysore.

Mr. H. C. Dasappa did not see any necessity to bring up a resolution of the kind. For, even with the existence of such a Regulation, there was no lack of scurrilous writings in Mysore and that such writers went scot-free. He was not prepared to admit the statement of Mr. Somasekhara Rao that the Press Act tended to make the administration autocratic inasmuch as there was not a single instance in which any editor had been proceeded against, nor did the supporters of the resolution cite any concrete cases of social hardship undergone by any one.

Even though freedom of speech and writing was desirable, he asked whether the local editors had maintained the journalistic etiquette and said that if they had done it, there would have been no need to keep on the Regulation, and he would have been the first to support the resolution. But as matters were quite the reverse, at least in some cases, he was of opinion that there should be some restriction to keep the Press within certain bounds of propriety.

He did not see any necessity to include the penal provisions of the Newspaper Regulation in the Penal Code. In cases where a non-English knowing gentleman came forward to start an English daily, he asked whether Government

should not have power to refuse permission. He instanced a case of that kind in Mysore which had come up before a court of law in the course of which the editor to whom permission had been given admitted that he did not know English. In his opinion, it was to guard against such cases that the Act had been allowed to remain. He did not think that journalism in Mysore had risen to the standard required of it, and that till it reached such a standard, a Regulation of the kind in question was necessary. He added that Government had already in view the introduction of an amended Bill and till it was introduced the existing Act might remain.

In the opinion of Mr. S. KRISHNASWAMI RAO, the main objection against the Regulation was that when permission to a prospective editor was refused, no reasons were given. This, he thought, was wrong as it gave arbitrary powers to the executive. He also said that an enactment of the kind in question gave room to a feeling outside that Mysore people were very bad and required to be always kept under control.

In regard to the opinion that instead of the penal provisions being transferred to the Indian Penal Code they might as well remain in the Newspaper Regulation itself, Mr. Krishnaswami Rao thought that in the one case the trial would be by a duly constituted court while in the other absolute power would be given to the executive, and that the alleged offender would not have the benefit of a fair trial.

MR. P. SEETHARAMAIYA, who also spoke in favour of the resolution, observed that it was not correct to say that the papers fomented hatred between the communities. Because, he pointed out that to every question there must be two sides and it was always necessary to consider a question from all points of view and in so doing, there might be different views expressed—one opposed to the other. In the absence of such a comprehensive examination, opinions are apt to be one-sided, and lead people to a blind alley. He added that public opinion had to be formed on right lines and that the Press was a potent factor in every modern democracy towards that end ; that it might be said that there were the Representative Assembly and Legislative Council at which the actions of Government could be freely criticised but such criticisms themselves should be disseminated to the whole country and to the several constituencies so as to give a wide publicity to them.

He felt that the Press Act was a dangerous weapon in

the hands of the executive in that it might refuse permission to any editor on grounds which would not be published. The result of this would be that no person would come forward to edit a paper for fear that any article that he might be writing would bring up the wrath of the executive. He pointed out that if an administration was attacked, it did not necessarily mean that motives were attributed to individuals constituting it. But if an officer was selected for criticism on unjust grounds, he agreed that such writings should not be countenanced and said that the Regulation gave quite arbitrary powers to the executive to banish the editor of such a paper. He also pointed out the advantage in a judicial decision which was open to appeal while that of the executive was not.

MR. N. G SANJEEVIAH said that there were some editors with neither responsibility nor dignity on their part, who published articles of a personal nature as well as those which created communal hatred. For example, there was so much criticism in the papers against the appointment of Mr. G. Paramasiviah as Sub-Judge, but not a word was said in any of the papers in respect of Mr. Ramachandra Rao's appointment as the Fourth Judge of the Chief Court. He added that with a view to stop newspapers creating and increasing communal hatred, some sort of control by Government was very necessary.

The bulk of the raiyat population of the State was illiterate. As a matter of fact, they did not know to whom they should give their vote in the elections. It was only with a view to help them to vote for the person whom they want to select, that distinguishing marks were given to the candidates standing for election. As such, they could not be expected to know much about the Press Law. Nor did it help them in the least. If at all, the Press Law affected the editors in the towns. He asked what action had the Government taken in respect of papers which had transgressed their limits of decency. Even in the case of *Kaniyar Patrika* which had been published in spite of Government refusing the grant of permission to publish it, Government had not taken any drastic action. While such cases were left unnoticed, he did not think that there was any difficulty or restriction under the existing law. He thought that the situation would be worse if the Press Law was abolished and concluded by saying that instead of repealing it as in Madras, Government might introduce the Amending Bill and have some little control over the newspapers.

MR. M. S. LINGE GOWDA said that in matters relating to public welfare, some control was necessary by Government. Taking the case of the Agriculturists' Relief Bill, he asked what its fate should have been if the Government had not had the power to override the decision of the Assembly. On the same analogy, he said that some kind of control was necessary in respect of newspapers also. In his opinion, the privilege which the members had of asking questions at the Representative Assembly and the Legislative Council was a much stronger weapon in the hands of the public than the repeal of the existing Press Law.

Continuing he said that in western countries, people were well educated and papers were being conducted by men who knew their responsibilities. In addition, communal differences were not heard of there and lastly, personalities were not indulged in. But the case in the State was altogether different and journalism was in its infant stage. It was very necessary that at such a time there should be some sort of control.

For these reasons, he opposed the resolution.

MR. M. C. LINGE GOWDA said that because there was freedom of the Press in western countries, it did not follow that the same should be the case in Mysore. Before giving such freedom, care should be taken to see whether it would prove beneficial to the State under the existing conditions. Referring to certain articles in the newspapers, *viz.*, on the recent tour of His Highness the Maharaja to Kashmir, etc., he observed that even with the so-called restriction placed by the existing Regulation, certain irresponsible newspapers were indulging in personal attacks, creating class hatred and have been criticising even the actions of His Highness. Such being the case, he asked how there could be harmony between the various communities in the State when misstatements and false news were allowed to be published in the papers.

It was said by some that under the existing Regulation, there was some sort of fear on the part of the editors of newspapers. He did not think that there was any such fear. If there had really been any fear, such articles as were referred to by him would not have found place in the newspapers. Though the Act was in force, it was practically a dead letter as no action was taken under its provisions. For these reasons, he opposed the resolution, adding at the same time that he would support the Amending Bill when brought up before the House.

MR. CHENNABASAPPA spoke in favour of the existing Bill.

MR. H. R. T. RAJAGOPAL MUDALIAR in supporting the resolution said that the Press Act was in force only in the Mysore State. He asked why the Government should hesitate to repeal it even when the British Government had done so. He added that as the Press was the only medium through which independent public opinion could be freely expressed, it should not be subjected to any restriction.

He observed that it was very necessary that people should be loyal to His Highness and should respect the constituted authority of Government and their officers. But at the same time, they should have the power to criticise their actions whenever they went wrong. The only course for the people to do so was through the medium of the Press. For this reason, there should be freedom of the Press.

Referring to the very few newspapers in the State, the speaker said that with the repeal of the existing Press Act, there would not only be an increase in the number of papers, but there was also bound to be a decided improvement in the tone of journalism in the State.

With reference to the statement made by some of the speakers that the repeal of the Press Law would foment communal hatred, etc., the speaker asked what action Government had taken against the papers outside the State which published articles of a very controversial nature on religious matters and how it would be possible for them to prevent outside papers from writing articles against the State and its administration. When outside papers could publish anything and everything about the Mysore Government, there was no meaning in imposing restrictions on the newspapers in the State and thereby stifling journalism. For these reasons, he supported the resolution.

MR. KRISHNAPPA urged that in commemoration of His Highness' Silver Jubilee, the Press Act might be repealed.

MR. RAME GOWDA said that as a result of the introduction of the Act in 1908, at least three papers ceased to exist. Even Mr. V. P. Madhava Rao who introduced the Act had said that it had not been found necessary to enforce any of its penal provisions. As such, it was high time that the Act was repealed.

Continuing he said that journalism had not developed in the State and that was evident from the fact that many

outside papers were being obtained by the public. Unless greater facilities were given to the Press, public opinion could not be developed. He added that if any papers indulged in articles which created communal jealousy, they should be dealt with under the provisions in the Criminal Procedure Code.

Since the year 1916, there had been repeated representations in the Assembly for the repeal of the Press Regulation. In a way, Sirdar Kantaraj Urs promised its repeal. In 1924, Sir Albion Banerji brought up before the House an amending Bill, but for some reason or other, it was not approved. That clearly showed that even the Government felt the necessity to modify the existing law.

Under the resolution before the House there was nothing to prevent an Amending Bill being brought up before the House. What was prayed for in it was that the existing Press Law should be repealed. That must be done and if the Government found it necessary to introduce an Amending Bill, they were at liberty to place one before the House and do the needful after obtaining their approval. With these observations, he supported the resolution.

MR. B. S. RANOJI RAO was of opinion that on the analogy of a father giving limited privileges to his children in the beginning and increasing them as they grew older and older, the Government also should start with the grant of small concessions to their subjects and go on increasing them according to the latter's capability to make the best use of them. In this view, he thought that the complete repeal of the Press Act was not called for at present. He was of opinion that as a first step towards the repeal of the Act, some of the clauses in it which were very drastic might be modified and made milder and for that purpose an Amending Bill might be placed before the House.

He added that newspapers were writing all sorts of things and that they should be discouraged. For that purpose, some kind of control was necessary. He was of opinion that if influential men could help to remove the prevailing communal hatred, then it would be time for the removal of the Regulation from the Statute Book and not till then.

MR. HANUMANTHAPPA said that there was no necessity for the Press Act as there were sufficient penal provisions in the Criminal Procedure Code to deal with the misconduct of newspaper editors.

MR. HOSAKOPPA KRISHNA RAO in replying to the debate

said that there were two issues in the resolution, viz., liberty of the people and public criticism of persons and their actions. He said he advocated both while his opponents did not recognise them. He quoted Gladstone who said " If a man loses liberty, he ought to be given more liberty. Let him go completely wrong so that from his own fault, he would turn better." In this view, he advocated that every person should have his liberty.

Some members said that he had not explained the necessity for tabling such a resolution. The necessity was apparent as the existing Regulation discouraged good papers from coming up. It was hanging over the heads of prospective papers as a Democles' sword. It was true that the local papers wrote articles criticising the Government officers and their actions. He did not see anything wrong in that If the allegations were wrong, they could be corrected by the Government and if right, Government might profit by them. As a rule, he thought that very few local papers were read and taken advantage of except for ventilating the communal grievances or picking up petty communal quarrels. He considered that every local newspaper was influenced by the atmosphere in which it prospered and by which it was started. Even communal writings had their advantages as they would show the deficiencies of certain communities. He, however, thought that the Newspaper Regulation was not enacted to prevent communal writings being circulated, and that it had nothing to do with communalism.

When the Bill was placed before the Imperial Legislative Assembly, although the late Mr. Ghokale was convinced that it would do no good, yet he supported it with a view to help the Government in the time of difficulty on condition that as soon as the necessity therefor was gone it would be repealed. Very eminent men, he said, had expressed the opinion that Press should not be controlled by the Executive Government. Although that power was not ordinarily exercised, still there was reason to think that at any time it might be exercised.

The speaker said that in spite of the fact that there were communal differences in the British territory, the British Government had completely repealed the Press Act and the State should not hesitate to follow their example. Under the existing Act, there was no control over persons writing articles on Mysore from outside. Anybody prohibited from starting a paper in the State might go to the neighbouring Madras Presidency and write anything he liked

without the fear of being questioned. In that way, the existing law was deficient and the position of the State was awkward.

With reference to the views expressed by some members that Government would not do anything prejudicial to the interests of the people, Mr. Krishna Rao asked why there should have been so much discussion in the Assembly, on various matters if Government had acted in the best interests of the people. If that had been the fact, the people would have sat quiet with folded hands. The very fact that they made representations to Government in the Assembly the Legislative Council and other places showed that people were striving for more and more privileges. It was therefore not right to say in one and the same breath "Give full liberty to the people, but vest all power in the Government."

In conclusion, Mr. Hosakoppa Krishna Rao assured the members that the resolutions had not been tabled with any communal bias. The majority communities were sure to be benefited by the adoption of the resolution. He added that in a progressive administration like Mysore, people should have their freedom of speech and the freedom of the Press; that any further retention of the Press Law would disfigure the Statute Book and in the interests of the liberties of the members themselves, he appealed to them to give their support to the resolution.

The motion was put to vote and lost 50 voting in favour and 114 against.

The remaining resolutions lapsed for want of time.

Representation.

No. 6.—Entries in *pattas* and duplicate receipts.
Mr. H. B. Gundappa *alias* Gundappagowda, Hassan Taluk.

MR. H. B. GUNDAPPA represented that particulars of survey number, extent, assessment and boundaries of the lands of *hissedars* might be entered in the *pattas* and duplicate receipts granted to raiyats and that by that arrangement many civil litigations would cease.

THE CHIEF SECRETARY said that orders regarding grant of receipts and entry of the numbers for which Kandayam was paid had been passed recently.

MR. H. B. GUNDAPPA enquired whether the boundaries of the lands of *hissedars* also would be mentioned in the *pattas*.

THE FIRST MEMBER OF COUNCIL said that this could not be done.

No. 7.—Levy of wet rates on *bagayet* lands in which only wet crops are raised for want of water.

Messrs. Yusuff Khan, Sira Municipality and Soorappa and Marulappa, Sira Taluk.

MR. SOORAPPA prayed that wet rates be levied on garden lands under the tanks in which *bagayet* cultivation had been stopped for want of water and in which wet crops were raised.

THE REVENUE COMMISSIONER said that if there was any inconvenience felt in any individual case, it might be brought to the notice of Government for needful being done and no general orders could be issued.

No. 8.—Extending the concession of granting lands and loans to improve the same to all classes.

Mr. Revanna Gowda, Kunigal Taluk.

MR. REVANNA GOWDA prayed that the concession of granting lands and loans to improve the same which was allowed to the Adikarnatakas and the members of the depressed classes might be extended to all classes as there were many poor people among them also.

THE DEWAN said that this could not be done.

No. 9.—Refund of money deposited at sale for revenue or Jodi arrears.

Messrs. C. Pattabhirama Setty, Chiknayakanhalli Municipality; G. Kanchappa, Chiknayakanhalli Taluk; G. Anjaneya Setty and P. Nagarajaiah, Pavagada Taluk.

It is prayed that money deposited at sales for revenue or Jodi arrears be refunded to the depositers as soon as the defaulter pays up the arrears as otherwise the bidders will have no inducement to bid in other sales, since they experience much difficulty to get their money back. The Amildars may be authorised to order the refund and remit the money by money order.

THE DEWAN said that orders had already been issued regarding remittance of money by postal money orders.

No. 10.—Grazing rights in village lands included in plantations to be given to the villagers and fees levied.

Mr. B. Venkatasubbiah *alias* Subbarayappa, Gubbi Taluk.

MR. VENKATASUBBIAH represented that as plantations were formed by the grouping of lands of several villages, the right of grazing in the lands of any particular village so

included might be given to the respective raiyats on the borders of whose village the lands were situated and the fees levied be included in their *khates*.

THE DEWAN said that the request could not be granted.

No. 11.—Enfranchisement of Shanbhogi Service Inam Lands.
Mr. B. Venkatasubbiah, *alias* Subbarayappa, Gubbi Taluk.

MR. VENKATASUBBIAH represented that the Service Inam Lands given for Shanbhogi service might be enfranchised.

THE DEWAN said that representations might be sent to the Deputy Commissioners in the matter.

THE FIRST MEMBER OF COUNCIL remarked that the other *hakdars* would not agree to it.

THE DEWAN said that the Revenue Commissioner would be requested to investigate the matter.

No. 12.—Modification of Rule 19 of the Land Revenue Rules.
Messrs. Puttaveerabhadrappa and Nanjiah Setty, Maddagiri Taluk.

MR. PUTTAVEERABHADRAPPA requested that the rule requiring raiyats to take out *maji* licenses for removing stones from quarries for the construction of buildings, wells, *kattes*, etc., (Rule 19 of the Land Revenue Rules) might be modified so as to allow their renewal without license. He added that the privilege should be given to the raiyats even when the quarries were situated in villages other than those they resided in.

THE REVENUE COMMISSIONER said that orders had recently been passed in the matter.

The mover observed that the order did not relate to the representation made by him.

MR. RANOJI RAO was of opinion that if the stones were removed for the *bona fide* use of the raiyats, no fee should be levied.

THE DEWAN promised to consider the matter.

No. 13.—Construction of waiting rooms in every taluk office.
Messrs. G. Paramasiviah, Bangalore City Municipality; B. Munisamappa, Bangalore Taluk; V. M. Rudrappa and B. Venkatappa Devanahalli Taluk.

MR. MUNISAMAPPA represented that waiting rooms might be provided in all taluk offices for the use of petitioners who come on business.

The representation was noted.

No. 14.—Levy of dry assessment on lands which lie below unrestored major and minor tanks and which do not get water supply.

(*a*) Mr. Venkatasubbiah, Hoskote Taluk.
(*b*) Messrs. V. M. Rudrappa and B. Venkatappa, Devanhalli Taluk.

(*a*) It is prayed that wet assessment may be levied only on so much land as can be irrigated by the supply of water now available, the rest being charged only dry rates.

(*b*) It is prayed that though a land may be liable to be charged wet rates on the ground that it is served by a tank, it may be removed from the head 'wet' and assessed only to dry rates if it lay fallow or was not cultivated with wet crops for more than ten years.

The subject was not discussed as it had been already discussed in connection with Resolution No. 2.

No. 15.—Supply of reference books to Patels free of charge.
Mr. Sidde Gowda, Special Interests, Chennapatna Taluk.

MR. SIDDE GOWDA represented that as it was incumbent on Patels to know all the Regulations and Rules relating to their work in villages and as it was not possible for them to purchase such books from their small *potgi*, all such books should be arranged to be supplied to them free by Government.

MR. CHENNABASAPPA said that the Patels should also be supplied with the required Regulations, Patel Manual and Khatewar.

THE THIRD MEMBER OF COUNCIL observed that it was not possible to do so.

MR. VENKATAGIRIAPPA remarked that many of the Patels who had powers under the Police Regulation did not know the rules at all and were ignorant of their powers. It was therefore very necessary that the Patels should be provided with copies of Regulations and Rules pertaining to their work.

THE DEWAN said that it would not be possible to supply Regulations and Rules free to Patels and that the Manual published by Mr. Vema Reddy would serve the purpose.

No. 16.—Free grant of lands to Lambanis having no lands.
Mr. Jatra Naika, Minority Interests, Hiriyur Taluk

MR. JATRA NAIKA represented that though there was a clear order of Government to grant lands at upset prices to the depressed classes, there were very many difficulties in their way and prayed that the Sub-Division Officers might be empowered to grant lands subject to usual conditions to the people of that class according to the Government Order.

THE DEWAN said that there was an order on the subject and that the Deputy Commissioners would do the needful in the matter.

No. 17.—Free grant of building sites and materials to Adi-Karnatakas near their *hatti* for Bhajana Mandirams.
Mr. Doddaiya, Minority Interests, Chitaldrug.

MR. DODDAIYA represented that with a view to promote the principles of Hindu Sanathana Dharma and Bhakti among Adi-karnatakas and Adi-dravidas, Government might be pleased to grant them free sites near their residence (*hatti*) and building materials for constructing Bhajana Mandirams.

THE DEWAN said that the local officers would do all that was possible in the matter and treat such requests with sympathy.

No. 18.—Granting of land to Bedars for upset prices.
Mr. B. Chinnobiah, Minority Interests, Chitaldrug Taluk.

MR. CHINNOBIAH requested that as most of the members of the Bedar community were poor, they might be granted lands for upset prices as in the case of Adi-karnatakas and that an Agricultural Bank might be established for their use.

THE DEWAN said that an order was recently issued on the subject, and that the department would do all that was possible.

No. 19.—Abolition of royalty on stone removed from quarries.
Messrs. Chennabasappa, Molakalmuru Municipality and Patti Basappa, Molakalmuru Taluk.

MR. CHENNABASAPPA represented that the royalty of eight annas per 100 square feet of stone levied under the existing rules involved great hardship to the raiyats intending to build houses or wells and therefore license might be granted to them free of royalty whenever stones were required for their own use.

THE DEWAN said that the matter would be considered.

No. 20.—Grant of permission to build houses on *hullu hittals* which were in the enjoyment of people for over 30 years
Mr. H Hanumappa *bin* Rangappa, Holalkere Taluk.

In the absence of Mr. Hanumappa, MR. CHENNABASAPPA represented that occupants of village sites which were under private occupation and enjoyment for over 30 years and on which mohatarfa tax was collected and which were being used as *hullu hittals*, might be allowed to raise buildings

on such sites, if necessary, and enjoy the *amarai*, if any, on such sites.

THE DEWAN said that particular cases if brought to notice would be enquired into.

At this stage, the Assembly rose for lunch and met again at 3-30 p.m.

No. 21.—Powers to Amildars to entertain suits for recovery of rent from tenants holding *Eksal* leases.
Mr. Abdul Nabi Sahib, Shikarpur Taluk.

There is at present no provision in the Revenue Law, empowering revenue officers to entertain and dispose of suits for recovery of rent due from tenants cultivating lands on *Eksal* leases. At present suits in respect of the above cases are filed in civil courts. With a view to facilitate matters, MR. ABDUL NABI SAHIB represented that Amildars should be empowered to entertain and dispose of such suits.

THE CHIEF SECRETARY TO GOVERNMENT replied that Amildars were being empowered to grant assistance to superior holders under Sections 97 and 98 of the Land Revenue Code. Agreements for recovery of rent were enforceable only if they were in writing and registered. Although these conditions were not compulsory for *Eksal* leases, there was nothing to prevent a landholder from getting even such leases written and registered, if he wanted the benefit of a summary process or recovery of rent.

MR. NADIG BHASKARA RAO represented that no registration should be insisted on in the case of *Eksal* leases.

THE DEWAN replied the that point would receive consideration.

No. 22.—Coffee crop on dry lands.
Mr. B. P. Basappa Setty, Chickmagalur Taluk.

MR. B. P. BASAPPA SETTY represented that if coffee or other crop (other than dry) was raised on dry land in a raiyat's holding, assessment at fixed rates for such crops only might be levied instead of the upset price and fine as was being done now.

THE FIRST MEMBER OF COUNCIL replied that upset price and fine were not levied if the crop was raised on one's own holding.

MR. BASAPPA SETTY said that it was being done, and quoted one case from Aldur Hobli in Chickmagalur Taluk, the aggrieved party being one Kuppanna Setty.

THE FIRST MEMBER OF COUNCIL replied that if the party appealed he was sure to get a remedy.

MR. BAGAMANE DEVEGOWDA observed that the levy of upset price and fine in such cases was bad in principle and pointed out the case of one Dyavegowda in Badagal Hobli, Mudigere Taluk, where such levy was imposed.

THE REVENUE COMMISSIONER informed the member that the fine had been cancelled only recently.

No. 23.—Amelioration of the condition of the people in the Malnad.

Messrs. Hosakoppa Krishna Rao, M. S. Dyave Gowda, C. Subbanna Naik, Koppa Taluk; and Mr. K. T. Satyanarayana Setty, Kadur Taluk.

In view of the fact that the present backwardness of the malnad parts of the State is admittedly due to economic causes that have been long at work, it is requested that necessary measures may be adopted so as to relieve the people of malnad from sufferings caused by abject poverty. such for instance, as, reduction of existing heavy rate of assessment on bagayat and coffee lands, abolition of the Irrigation Cess and Railway Cess, mitigation of forest hardships, early enactment of Agriculturists' Relief Bill, establishment of Land Mortgage Banks, establishment of a trade syndicate for rendering assistance to areca and coffee growers, etc.

THE FIRST MEMBER OF COUNCIL stated that the Agriculturists' Relief Bill would be brought up at the next meeting of the Legislative Council and that the order relating to Land Mortgage Banks might be expected very early. As regards assistance to coffee and areca growers he said that the report of the special committee was awaited. The only questions, therefore, for consideration were those relating to forest grievances, and to the levy of Irrigation and Railway Cesses.

MR. RAMESWARA SASTRY urged a reduction in the rates of assessment.

THE FIRST MEMBER OF COUNCIL replied that it had already been decided that it was not possible.

MR. DYAVE GOWDA, Mudigere Taluk, represented that Irrigation Cess should be abolished in the Mudigere Taluk. He added that at the time of the previous resettlement the raiyats had complained to the Government against the anticipated increase, and that Government had then promised that no undue increases would be sanctioned.

ANOTHER MEMBER represented that the forest line was being ever extended towards the agricultural lands; that due to the heavy rains, all the manure stocked by the raiyats would

be washed away, but that they could not recover it because the adjoining land was called forest land. In spite of loud complaints in this respect for years together the line was being extended more and more. One way in which the grievances of the raiyats could be remedied was to permit leaf manure to be taken from the forest lands.

Another complaint from the malnad raiyats was that they obtained permission to remove timber from the forests, but it was difficult to cut trees just enough to yield timber of the quantities for which licenses were obtained in advance. But the Forest officers who examined the cuttings imposed higher rates for any excess timber cut. This was a hardship to the malnad raiyats, and the member requested that they should be permitted to remove the excess quantities after paying at the same rates as were allowed for the quantities applied for originally, and the checking work should be done by the Revenue authorities.

THE THIRD MEMBER OF COUNCIL said that there was no difference to the raiyat whether officers of the Revenue Department gave permission or those of the Forest Department.

MR. SUBBANNA NAIK represented that it was difficult to get at the Forest officers, while the Amildar was more easily accessible. It was the Amildar that granted the licenses and so this question also had better be disposed of by him.

He also represented that the rule requiring that free license to remove leaf manure should be given only to persons paying an assessment of Rs. 25 or more should be liberalized in favour of the smaller raiyats also.

THE THIRD MEMBER OF COUNCIL replied that the matter would be enquired into.

MR. RANGARAJIAH said that at present there was dual control in regard to cutting of timber from the malnad forests on licenses obtained by the raiyats. He said that licenses were given by the Revenue Department and marking was done by the Forest Department, but the marking was not done promptly, and if the raiyat cut the timber, he would be prosecuted.

THE REVENUE COMMISSIONER said that if within one month after the license, marking was not done, the raiyat was free to cut the timber.

MR. RANGARAJIAH said that the Forest officials somehow prosecuted the raiyat, even after the expiry of one month. For this reason he represented that the grant of

licenses as well as the marking should be done only by the Revenue Department.

While this question was being discussed, MR. K.T. SESHIAH said that he had been asked to urge for a suitable grant from Government for laying the Bababudan Road, for which the District Board was prepared to contribute one-half of the cost.

THE DEWAN replied that the matter would be taken up next year.

No. 24.—Reduction of wet rates under tanks.

Messrs. K V. Veeranna, Chamarajnagar Taluk and Jungappa, Malvalli Taluk.

MR. K. V. VEERANNA said that the wet rates prevailing under tanks and channels were the same and represented that as the landholders under tanks were heavily taxed, the wet rate might be considerably reduced.

THE DEWAN replied that it was not possible to consider this representation favourably.

No. 25.—Jamabandi dates.

Messrs. S. C. Malliah, Mandya Taluk ; B. S. Puttaswamy, T.-Narsipur Taluk; M. C. Linge Gowda, Mandya Taluk; S. Thammaiya Gowda *alias* Thimmegowda, Krishnarajpete Taluk.

MR. S. C. MALLIAH requested that orders might be issued to the effect that the name of the officer conducting jamabandi, the date, time and place of the jamabandi be advertised in the Gazette.

THE DEWAN considered that it would be enough if the particulars relating to jamabandi were announced by beat of *tom-tom*.

ANOTHER MEMBER represented that jamabandi officers did not consider the conveniences of the villagers and fixed centres as they liked and commenced the work very late in the day, so that raiyats coming from long distances could not return to their places the same day. The result was that jamabandi itself was conducted only on the accounts furnished by the Shanbhogues and the raiyats had no opportunity of representing their grievances. He therefore requested that jamabandi should begin at or before 12 noon and close before evening.

THE DEWAN thought that it might probably commence at 3 o'clock.

MR. B. NARASINGA RAO suggested that it should be fixed between 3 and 8 p m.

MR. S. C. MALLIAH said that whatever be the hours

fixed, once people were accustomed to them, they would not object to them. He was particular that once jamabandi was announced, there should be no postponements. He instanced the case of a certain jamabandi in the Mandya Taluk which was postponed many a time and that a great many people were inconvenienced on account of the adjournments. He also urged that jamabandi centres should be fixed with reference to the conveniences of the raiyats.

MR. GOPALACHAR added that this was the one matter in which people were suffering throughout the State, and requested that centres should be fixed where water facilities and other conveniences were available.

MR. RANGASWAMI IYENGAR of Magadi suggested that the programme of inspection either of the Amildar or of any other higher officer should be notified in every taluk, hobli and village.

THE REVENUE COMMISSIONER replied that necessary instructions in the matter would be issued to all the concerned officers.

MR. E. KRISHNAPPA thought that no special jamabandi was called for in view of the rule that Revenue officers should be on tour for not less than 15 days in the month.

THE DEWAN agreed that jamabandi should be held between 12 noon and 5 p.m.

No. 26.—Road Side Trees.

Messrs. M. C. Linge Gowda, Mandya Taluk; B. S. Puttaswamy T-Narsipur Taluk; Mahomed Hussain *alias* Sab Jan, Hunsur Taluk. Gurukar Nanjappa and Patel Subbanna, Gundlupet Taluk; B. Siddalinga Setty, Yedatore Taluk; Patel Linge Gowda and S. Thammaiy Gowda, Krishnarajpet Taluk; Chikke Gowda, Malvalli Taluk; V. Bandiah, Nanjangud Taluk and N. Siddalinga Devaru, Seringapatam Taluk.

The Members represented that only tamarind trees be ordered to be planted on both sides of the roads in future.

MR. M. C. LINGE GOWDA added that if this was accepted, the Government would derive an annual revenue of between 8 and 10 lakhs of rupees.

MESSRS. K. T. SESHAIYA and KANDAGAL CHANNABASAPPA thought that tamarind trees were not conducive to health.

THE DEWAN replied that it was proposed to plant *honge, seegekai*, mango and such other useful groves.

MR. E. KRISHNAPPA suggested the planting of such trees in river banks also, so that the embankments might not be damaged much by floods.

MR. NADIG BHASKAR RAO brought to notice that a

number of old trees had decayed, and that this fact was not mentioned in the accounts. In a number of cases, the existing trees were few and far between and the roads had become unsightly. He requested special attention being paid to the improvement of roadside avenues.

MR. SIDDALINGA SETTY observed that the air caused by the tamarind trees was said to be very bad for health and that the Sanitary Commissioner should be consulted before planting tamarind trees for avenues.

MR. THAMME GOWDA suggested that the village officers should be asked to keep watch over the avenue trees. At present nobody was responsible for seeing that the trees were not damaged by any one. If village officers were asked to take care of the trees the avenues would thrive very well.

The suggestions were noted.

No. 27.—Cancellation of the existing rules *re.* sandal trees on lands in the occupancy of raiyats.

Mr. B Venkatasubbiah *alias* Subbarayappa, Gubbi Taluk.

MR. VENKATASUBBIAH represented that at present Government was incurring heavy losses, and that nobody took any interest in growing sandal trees. For this, he said, the rigour of the present Regulation was responsible. He suggested that the existing rules *re.* sandal trees on lands in the occupancy of raiyats should be cancelled and the same concession as in the case of date trees allowed. He also suggested that depots should be established in each district and that some small bonus should be promised to every raiyat bringing up sandal trees.

THE THIRD MEMBER OF COUNCIL replied that even at present the practice of giving bonus was in vogue.

MR. VENKATASUBBIAH said that it was not enough by itself. He urged that the Regulation itself should go, because even though a plant was damaged by wind and rain, the raiyat would be punished.

THE THIRD MEMBER OF COUNCIL replied that so long as sandal-wood was a monopoly of the Government the Regulation was necessary to enforce Government's right to the wood. There would be no meaning in abolishing the Regulation and still calling sandal-wood a Government monopoly. He agreed that there might be defects in the working of the Regulation but for that the remedy lay elsewhere than in abolishing it altogether.

THE FIRST MEMBER OF COUNCIL added that though it was not possible to abrogate the Regulation, yet Government

might consider the question of giving some inducements to raiyats growing sandal trees and taking care of trees already existing.

MR. D. S. MALLAPPA brought to notice that the Forest officials were creating difficulties of various kinds to the villagers.

THE SECOND MEMBER OF COUNCIL replied that the question was receiving attention at the hands of the Government.

MR. C. NARASIMHAIYA said that this was not the first time the question of protection of sandal trees was considered in the Assembly; and that in the year 1918 or 1919 the Dewan promised to pass final orders regarding the encouragement to be offered for taking care of Government trees.

THE DEWAN promised to take needful action early.

MR. K. RAMAKRISHNA IYER brought to notice that a few sandal plants on his land were uprooted by the winds, and when he submitted a report to the authorities in the matter he was asked to take the plants to Srinivaspur which was the headquarter of the Forest Ranger, and was 26 miles distant from the member's place. The matter was brought to the notice of the Conservator also but the member was still being asked to get the trees removed to Srinivaspur. This was the difficulty experienced by many raiyats and the speaker therefore suggested that when a report was submitted, the raiyats' responsibility should be regarded as having ceased, necessary steps being taken by the Forest officials themselves to remove the trees.

THE CONSERVATOR replied that he would arrange to get the trees taken over to the nearest Police Station.

For want of time, the remaining representations lapsed.

Dewan's Concluding Remarks.

GENTLEMEN,

I do not propose to make any lengthy remarks on this occasion. It seems to me scarcely necessary to do so, as I would only be repeating what has already been stated in the course of the debates. I shall, therefore, confine myself to one or two matters of general interest.

The principles of the Workmen's Compensation Bill were accepted by the House by a unanimous vote. But I am sorry that the Bill for the relief of agriculturists from indebtedness did not receive the same amount of

enthusiastic support and that a majority in the House—I think 80 were for and 91 against it—expressed themselves averse to the measure. I do not attempt to disguise the fact that the Bill presents openings for controversy, but we are proceeding, as you will probably agree, in a very cautious manner. Provisions of doubtful feasibility contained in the original Bill have been eliminated and the main object of the present Bill is to empower courts to substitute fair for unfair contracts and reasonable for unreasonable rates of interest. I do not suppose that it will be beyond the capacity of our judicial officers to administer these provisions with intelligence and discrimination. It is a baffling problem we are faced with, but Government feel that it is time a really serious attempt was made to solve it. It is not the intention of Government to apply the measure to the whole State; it is proposed to restrict it for the present to two or three taluks in the Malnad. The Record of Rights, the Land Mortgage Banks and the Agriculturists' Relief Bill are all intended to supplement one another and will together afford, as we hope, a substantial measure of relief to the raiyat.

Government have agreed to modify the rules for the grant of remission on wet and garden lands generally on the lines recommended by this House. The lands constituting the *atchkat* of a tank will be treated as a "tract" for the purposes of the rules and will be entitled to remission, if the other conditions governing the grant of relief are satisfied. I hope this decision will remove a longfelt grievance.

As regards the improvement of existing and the construction of new tanks, Government are taking the greatest possible interest in the matter, and no effort is being spared either on their part or on the part of the Public Works Department to ensure satisfactory progress. I hope that our policy in this matter is thoroughly understood and appreciated. According to the programme of irrigation works placed in your hands during the last Dasara Session, it was proposed to carry out 76 works at a cost of Rs. 12 lakhs in three years. The programme has since been largely supplemented and 87 major works are in progress at present. The outlay budgetted for this year is Rs. 5,71,000, against Rs. 3,20,000 in 1926-27, and an average of Rs. 2½ lakhs during the previous years. This is exclusive of the allotment made for the restoration

of minor tanks and ordinary maintenance works. It may interest you to know that in the taluk of Shikarpur, which was specially mentioned in yesterday's discussions, Government have sanctioned 16 major and minor works at a cost of over Rs. 50,000, not to mention the large Anjanapur project for which detailed investigations have just been completed. Here, I would like to say a word of appreciation of the good work that is being done by the Public Works Department under the able direction and supervision of the Chief Engineer, Mr. Bhore. Now that sufficient momentum has been gathered, I am confident that henceforward the department will show more and more progress in regard to all these works.

This has been a most pleasant session and while I cannot say that we have been able to dispose of many of the subjects included in the agenda, I feel that our discussions have covered a wide field and elicited many useful suggestions from the members.

With these few words, I will now conclude, and in adjourning this Assembly, I wish you all happy return to your homes.

On behalf of the Assembly, MR. MAHOMED ABBAS KHAN offered thanks to the Dewan and the Member of Council for the patient hearing given by them to the representations of the members and for the sympathetic replies given from time to time.

With three cheers to His Highness the Maharaja and to the Dewan, the session came to a close at about 5-15 p.m.

B. NAGAPPA,
Ex-officio Secretary,
Representative Assembly.